

PROB 12B
(12/98)

United States District Court

For

The Western District of New York

Request for Modifying the Conditions or Term of Supervision

With Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Sharron McCutcheon a/k/a Shawnee **Case Number:** 1:18CR00208-002

Name of Sentencing Judicial Officer: Honorable Lawrence J. Vilardo, U.S. District Judge

Date of Original Sentence: October 30, 2019

Original Offense: Conspiracy to Possess with Intent to Distribute, and to Distribute, Cocaine Base in violation of 21 U.S.C. §846, 21 U.S.C. §841(a)(1), 21 U.S.C. §841(b)(1)(C)

Original Sentence: Five (5) years of probation. Special Conditions include: substance abuse testing/treatment; home detention of six (6) months; obtain his General Education Diploma; and a search condition based on reasonable suspicion.

Type of Supervision: Probation

Date Supervision Commenced: October 30, 2019

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

The defendant shall comply with the conditions of the Location Monitoring Program (curfew component) for a period of three (3) months. This curfew shall be from 6:00 p.m. to 6:00 a.m., or as adjusted by the U.S. Probation Office to be less restrictive for employment, counseling, emergencies, or other acceptable reasons. This will be monitored by a Global Positioning Satellite System and the defendant shall wear (an) electronic monitoring device(s) and shall follow the monitoring procedures as outlined in Probation Form 61. The defendant is required to contribute to the cost of services rendered (co-payment).

CAUSE

On December 17, 2020, the defendant admitted to leaving the judicial district without obtaining permission from the Court or the probation officer. The defendant admitted to traveling to Atlanta, Georgia from October 16, 2020 to October 18, 2020 to "celebrate his birthday." The defendant was given verbal admonishment and was informed a modification will be sent to the Court. On December 21, 2020, a home contact was conducted at the defendant's residence. The modification was discussed in detail, which the defendant agreed to as evidenced by his signature on the attached waiver.

RE: SHARRON MCCUTCHEON a/k/a Shawnee
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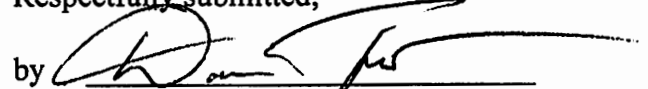
At this time, it is respectfully recommended that the Court modify Mr. McCutcheon's conditions as stated above.

Reviewed by:



Peter J. Lepiane
Supervising U.S. Probation Officer

Respectfully submitted,



Daniel T. Trapasso
U.S. Probation Officer
Date: December 23, 2020

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

1/14/2021

Date

PROB 49
(Revised 11/98)

**United States District Court
Western District of New York**

**Waiver of Hearing to Modify Conditions
Of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that all previously imposed conditions will remain in effect.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall comply with the conditions of the Location Monitoring Program (curfew component) for a period of three (3) months. This curfew shall be from 6:00 p.m. to 6:00 a.m., or as adjusted by the U.S. Probation Office to be less restrictive for employment, counseling, emergencies, or other acceptable reasons. This will be monitored by a Global Positioning Satellite System and the defendant shall wear (an) electronic monitoring device(s) and shall follow the monitoring procedures as outlined in Probation Form 61. The defendant is required to contribute to the cost of services rendered (co-payment).

Witness:


Daniel T. Trapasso
U.S. Probation Officer

Signed:


Sharron McCutcheon
Supervised Releasee

12/21/2020
Date